

REMARKS

Claims 1-40 and 42-66 are pending in the present application, of which claims 17-38 have been withdrawn and claims 1-16, 39, 40, 42-61, and 63-65 have been allowed.

Claims 62 and 66 presently stand rejected under the first paragraph of 35 U.S.C. § 112. Specifically, the Office Action alleges claims 62 and 66 fail to comply with the written description requirement. According to MPEP 2163(II)(A), “[t]he examiner has the initial burden ...of presenting *evidence or reasoning* why a person skilled in the art would not recognize that the written description of the invention provides support for the claims.” (Emphasis added). In the present case, the Office Action concedes that the specification includes disclosure directed towards the tensioning of the sheet at page 6, lines 13-15, and provides only a general statement that the disclosure, particularly at page 6, lines 13-15, does not support the recitation of “somewhat perpendicular to the first hinge.” This general statement provides no evidence or reasoning that one skilled in the art would not recognize that the specification provides support for claims 62 and 66.

It is worth noting that “there is no *in haec verba* requirement” (MPEP 2163(I)(B)) with respect to the specification supporting the claims. Rather, newly added claims can find support “in the specification through express, implicit, or inherent disclosure” (MPEP 2163(I)(B)). It is also worth noting that a written description is considered to encompass “such descriptive means as words, structures, figures, diagrams, and formulas” (MPEP 2163(I)). In the present case, the cited portion of the specification (i.e., page 6, lines 13-15) is referring to Figs. 2-4. In Figs. 2-4 the sheet, pad, and the hinge are shown. The specification explicitly states that “[t]he sheet 106 is tensioned across the padding members 104 ...and thus causes the corner areas 126 to become rounded.” It is respectfully submitted that one skilled in the art would appreciate that this description coupled with the views provided in Figs. 2-4 supports a claim to the tension being “somewhat perpendicular to the first hinge,” especially with consideration being made for the directions of tension inherently necessary to cause the rounding of corner areas 126.

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Accordingly, it is respectfully requested that the rejection of claims 62 and 66 under the first paragraph of 35 U.S.C. § 112 be reconsidered and withdrawn.

CONCLUSION

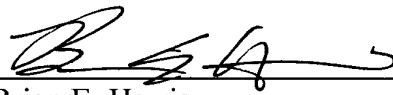
In view of the foregoing remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any fee required for such Petition for Extension of Time, and any other fee required by this document, other than the issue fee, and not submitted herewith, should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: _____


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